

Message Text

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21

ACTION L-03

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FM AMCONSUL BARCELONA

TO SECSTATE WASHDC 3153

INFO AMEMBASSY MADRID

AMCONSUL BILBAO

UNCLAS BARCELONA 0364

E.O. 11652: N/A

TAGS: CASC, PFOR, SP (FLORES, ANTONIO)

SUBJECT: EXTRADITION ANTONIO FLORES

REF: BARCELONA 346 AND PREVIOUS

1. DEA INQUIRIES REVEALED THAT PRISON RECORDS FOR FLORES WHO IS PRESENTLY IN PRISON IN BURGOS INDICATED THAT HIS TERM WILL NOT BE COMPLETED UNTIL SEPT. 1976. EIGHTY DAYS OF SENTENCE ON RECORD CAN BE ATTRIBUTED TO NON- PAYMENT OF FINE WHICH FLORES ATTORNEY SAYS WILL BE PAID WHEN TIME COMES. FLORES NOW PROFESSES TO BE ANXIOUS TO BE EXTRADITED SO IT APPEARS LIKELY THAT HE WILL PAY THE FINE.

2. DEDUCTING 80 DAYS THAT WILL BE DISCOUNTED FROM SENTENCE IF FLORES PAYS FINE AND 2 MONTHS THAT SENTENCE MAY BE REDUCED FOR GOOD BEHAVIOR, IT APPEARS THAT FLORES IS LIKELY TO COMPLETE SENTENCE IN APRIL 1976. HE ESTIMATED THAT IT WOULD BE COMPLETED IN JANUARY, BUT HE MAY NOT HAVE CONSIDERED 3 MONTH SENTENCE THAT COURT IN LOGRONO ORDERED FOR PUBLIC USE OF FALSE NAME.

3. FLORES ATTORNEY SAYS THAT SPANISH SUPREME COURT IS NOW CONSIDERING CHARGE OF PROCURING FALSE DOCUMENTATION WHICH THE PROVINCIAL TRIBUNALS IN BARCELONA AND MALAGA DECLARED TO BE OUT OF THEIR JURISDICTION. HIGH COURT MAY ORDER ONE OF PROVINCIAL TRIBUNALS TO HEAR CASE SO THERE IS STILL A POSSIBILITY THAT

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CASE WILL BE TRIED. ATTORNEY CONFIRMED THAT APPEAL FOR REDUCTION

IN SENTENCE ON MARIHUANA CONVICTION HAD BEEN REJECTED.

4. IT APPEARS THAT EXTRADITION WILL EVENTUALLY TAKE PLACE THROUGH
BARCELONA AS IT WAS ORDERED BY PROVINCIAL TRIBUNAL IN THIS
PROVINCE.
LEHFELDT

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